

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

|                          |   |                        |
|--------------------------|---|------------------------|
| UNITED STATES OF AMERICA | ) |                        |
|                          | ) |                        |
| v.                       | ) | 4:09-cr-000061-LSC-JEO |
|                          | ) |                        |
| JERMAINE LUMSDEN         | ) |                        |

**MEMORANDUM OPINION**

This matter is before the court on the defendant's motion to suppress the evidence obtained as a result of the search of an automobile. (Doc. 18). The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation (doc. 22) and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, the defendant's motion to suppress is due to be denied. An appropriate order will be entered.

Done this 4<sup>th</sup> day of May 2009.

  
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L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE  
124019